

UNITED STATES DISTRICT COURT
DISTRICT OF SOUTH CAROLINA

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Tyrone Lorenzo Robinson, # 235104,)

Plaintiff,)

-vs-)

Randolph Murdaugh, Solicitor,)
Fourteenth Judicial Circuit; and)
Steven Knight, Solicitor, Fourteenth)
Judicial Circuit, each in their individual)
and official capacities,)

Defendants.)

2006 JUL 14 A 9 48
Civil Action No. 2:06-1289-SB

ORDER

This matter is before the Court on the pro se Plaintiff's complaint alleging violations of his civil rights. By local rule this action was referred to United States Magistrate Judge Robert S. Carr for initial review.

On May 15, 2006, the Magistrate Judge issued a report analyzing the issues and recommending that the Court dismiss the claim without prejudice and without service of process as it was frivolous, and that such dismissal be counted as a "strike" for purposes of 28 U.S.C. § 1915(g). Specifically, the Magistrate Judge noted that the Plaintiff's complaint failed to allege facts which would constitute a claim cognizable in a federal district court. The Plaintiff was given notice of the right to file objections to the report and recommendation and of the consequences of failing to do so; however, no such objections have been filed.

Absent timely objection from a dissatisfied party, a district court is not required to review, under a de novo or any other standard, a magistrate judge's factual or legal conclusions. Thomas v. Arn, 474 U.S. 140, 150 (1985); Wells v.

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Shriner's Hosp., 109 F.3d 198, 201 (4th Cir. 1997). Here, since objections were not filed, there are no portions of the report and recommendation to which a de novo review must be conducted. Accordingly, the Magistrate Judge's report and recommendation is hereby adopted as the order of this Court, and it is

ORDERED that this action is hereby dismissed without prejudice and without requiring the Defendants to file a return; this dismissal is considered a "strike" under 28 U.S.C. § 1915(g); and this action is ended.

IT IS SO ORDERED.



Sol Blatt, Jr.
Senior United States District Judge

June 12, 2006
Charleston, S.C.

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